

Appendix C

LCR MSCP Scoping Summary Reports

LCR MSCP Scoping Summary Reports

C.1 1999 Scoping Summary Report

The purpose of this Report is to inform the public about the issues and concerns raised during the public scoping period, which ran from May 18 through July 27, 1999. The Lower Colorado River Multi-Species Conservation Program Environmental Impact Statement/Environmental Impact Report/Biological Assessment (LCR MSCP EIS/EIR/BA) will, in turn, address key issues raised during scoping. This report is intended to provide the public with a general summary of the comments and issues raised during scoping. Development of the LCR MSCP EIS/EIR/BA will be based on the actual comments. This Report is one of the action items contained in the LCR MSCP's Public Involvement Plan, which can be accessed at www.lc.usbr.gov.

C.1.1 Program Description and Purpose

The LCR MSCP is a partnership of state, Federal, tribal, and other public and private stakeholders with an interest in managing the water and related resources of the Lower Colorado River Basin (LCR Basin). The purposes of the LCR MSCP will be to:

1. Conserve habitat to facilitate the recovery of threatened and endangered species and to reduce the likelihood of additional species listings under the Federal Endangered Species Act (ESA).
2. Accommodate current water diversions and power production and optimize opportunities for future water and power development.
3. Provide the basis for the ESA and the California Endangered Species Act (CESA) compliance via incidental take authorizations, resulting from the implementation of the first two purposes.

C.1.1.1 Location

The program area covers the mainstream of the lower Colorado River from below Glen Canyon dam to the Southerly International Boundary (SIB) with Mexico. The program area includes the 100-year floodplain and reservoirs to full-pool elevations. Potential conservation measures will focus on the lower Colorado River from Lake Mead to the

international boundary, while the partnership is also open to considering cooperative conservation efforts developed by the Grand Canyon management effort.

C.1.1.2 National Environmental Policy Act, ESA, and California Environmental Quality Act Compliance

A single environmental compliance document will be prepared to fulfill requirements of the National Environmental Policy Act (NEPA), the ESA, and the California Environmental Quality Act (CEQA) for the LCR MSCP. This document will have the working title of LCR MSCP EIS/EIR/BA. The U.S. Department of the Interior, Bureau of Reclamation (Reclamation) and the U.S. Fish and Wildlife Service (USFWS) will serve as joint Federal lead agencies under NEPA, and The Metropolitan Water District of Southern California (Metropolitan) will serve as the CEQA lead agency.

C.1.2 Public Scoping Process

The scoping process is an early and integral part of planning, environmental review, and documentation for the LCR MSCP. The process encourages the public and government agencies to help identify issues and topics that an EIS/EIR should address.

Requests for comments and notices of public scoping meetings were posted through publication of a Notice of Intent (NOI) in the Federal Register (FR) on May 18, 1999 and filing a Notice of Preparation (NOP) with the State of California Clearinghouse on May 26, 1999. Copies of these Notices are maintained in the MSCP file.

Seven scoping meetings were held in Arizona, California, and Nevada on June 15, 16, 17, 22, 23, 30, and July 1, 1999, to inform the public about the LCR MSCP process and to solicit input. A total of 102 individuals attended these meetings. The original sign-in sheets are maintained in the LCR MSCP file. A total of 35 comment letters were received during the formal comment period, which ended July 27, 1999.

Following is a summary of the written comments received during the NEPA public scoping period (May 18 through July 27, 1999) and a summary of the verbal comments offered at the scoping meetings. The comments have been compiled into one of five categories. The categories are: 1) Conservation Alternatives and Measures, 2) Draft Alternative Formulation Criteria, 3) Alternatives for Reducing Incidental Take of Threatened and Endangered Species, 4) Issues for Analysis in the EIS/EIR/BA (the first four categories were taken from the Public Comments and Suggestions sheet that was made available at the meetings), and 5) Other. The written comments are maintained in the LCR MSCP file.

C.1.3 Summary of Written Comments

C.1.3.1 Conservation Alternatives and Measures

- The LCR MSCP must examine alterations in the river's flow regime in addition to the current focus on land acquisition and restoration. The alternatives presented in the EIS/EIR must include an analysis of protected flood flows for the Colorado River delta. How might the surplus/shortage criteria affect the frequency and magnitude of flood flows through the delta?
- The planned Long-Term Monitoring and Adaptive Management Plan must be fully presented as an integral component of any possible alternatives in the EIS/EIR.
- Due to effects of Glen Canyon Dam, its removal should be included as an alternative considered by the LCR MSCP.
- Proposed management actions should be based only on the water supplies that may be available in the future given the existing storage and conveyance systems.
- Examples of ideas to consider when developing short- and long-term alternatives that meet the dual objectives of the LCR MSCP are: water supply allocation for instream and environmental beneficial use, water transfers, conjunctive use, water conservation, non-point source pollution control, development and implementation of a dynamic water management model for the LCR Basin mimicking the natural cycle, remediation/restoration projects throughout the ecosystem, including the delta, and multi-purpose projects; e.g., habitat restoration/agricultural drainage projects.
- Incorporate ecosystem planning and implementation.
- Require all new and future development along the Colorado River to plant only willows or cottonwood. Limit the type of shrubs and trees homeowners and businesses may plant within a certain radius (one mile, perhaps) of the river. Prohibit the planting of certain types of trees/shrubs (oleanders, tamarisk, etc.).
- Consideration should be given to the fact that historic habitats no longer exist and endangered species, particularly fish, cannot survive as they once did along the lower Colorado River. With this in mind, conservation measures should require absolute minimum restrictions to operation and maintenance, and water and power development.
- Grow the endangered species in controlled atmosphere away from danger.
- Require municipal water districts to develop and carry out water conservation plans.
- Develop a water conservation program for California landscape and man-made backwaters for wildlife habitat.
- Laws should be passed that would prevent the planting or maintenance of salt cedars.
- Consider that coastal desalinization can provide more water in the Colorado River system for wildlife needs, vegetation needs, power production, drought preparation, recreational needs, flood control regulation, municipal needs, international treaty obligations, Native American needs, and litigation reduction.

- Under the description of the No Action/No Project Alternative, it should be made clear that Reclamation would have to reinitiate section 7 consultation on a project-by-project basis as it implements the conservation measures of the LCR MSCP, instead of under the auspices of a “program.”
- Reclamation must develop a full range of alternatives that includes an environmental alternative. There must be an alternative dedicated primarily to species and habitat preservation.
- Due to certain unresolved legal issues concerning the Law of the River, the EIS/EIR should analyze alternatives in two contexts: 1) with the Law of the River as many thought it was, and 2) with the Law of the River as it might be changed by adding authorized purposes for the operation of Glen Canyon Dam and expanding the role of Interior with regard to operation of Colorado River facilities.

C.1.3.2 Draft Alternative Formulation Criteria

- Small successful measures that can be well-managed and possibly grow over time are better than large, unmanageable plans.
- Consider human needs and beneficial uses as well as the weaker endangered species. Don’t be so radical over the endangered species.

C.1.3.3 Alternatives for Reducing Incidental Take of Threatened and Endangered Species

- Develop educational programs that involve rather than alienate communities.
- Maintain existing flows in the Colorado River.
- Provide for the recovery of native fish populations.
- Realize that the dams and proper water use are not the major causes for the loss of endangered species—game fish eat them.

C.1.3.4 Issues for Analysis in the EIS/EIR/BA

Wildlife—General

- The EIS/EIR should discuss the impacts of the alternatives analyzed in the context of Public Law 105-57, the National Wildlife Administration Act of 1996.
- Based on the NOI and the NOP, the LCR MSCP planning process seems to be species-based rather than truly ecosystem-based. There should be a genuine attempt made to incorporate at least some higher level of biotic organization (community-level, perhaps) as a target level for management.

- Analyze the impacts of the alternatives on each state's fish and wildlife management agency's ability to maintain the natural biodiversity and their ability to implement other state-specific wildlife initiatives.
- The biota must be managed first, not their habitat.
- Compliance with all requirements of the ESA must remain the highest priority for the LCR MSCP.
- There is a potential for adverse impacts from burros along the lower Colorado River.
- Evaluate recreational use of the river and its impacts on wildlife. Consider introduced species of wildlife and their effects on native species.
- Reclamation's dams and water diversions along the Colorado have caused the decline and endangerment of many wildlife species.

Wildlife—Aquatic

- There appears to be an inconsistency between the fact that Reclamation's operation of the river jeopardizes the existence of bonytail and razorback suckers (as concluded in the Biological Opinion) and the program objective to accommodate the optimization of opportunities for future water and power development.
- Native Colorado River species and non-native fishes cannot co-exist. Native fishes can complete their life cycles in other-than unspoiled, virgin habitat.
- Introduced sport fish species are an integral component of aquatic resources in the lower Colorado River.

International Impacts

- Consideration should be given to the entire LCR Basin ecosystem, including the delta because actions taken on the lower Colorado River could have significant implications for fragile species and habitat in the Colorado River Delta and Sea of Cortez.
- Consider the delta region of the river in Mexico which has Yuma clapper rails, desert pup fish, and Southwestern willow flycatchers and other threatened and endangered species in the Cienega de Santa Clara. The delta likely acts as population reservoirs for many of the endangered species in the United States.
- The delta also supports largest remaining stands of critical habitat types including willow thickets, cottonwood-willow gallery forests, and emergent wetlands.
- The United States can positively impact ecosystems in Mexico through timing and volume of water releases.
- LCR MSCP participants are urged to consider binational cooperation and collaboration with Mexico. The U.S. Environmental Protection Agency (EPA) has an obligation to consider international (trans-boundary) issues and to work with Mexico pursuant to NEPA and the La Paz Agreement.

- Ensure that jurisdictional drainage requirements are met, especially those dealing with peak flows, change in water quality, increased flow volumes, and redirection of flows.

Recreation

- Recreational boating in the Bullhead/Laughlin area would be dramatically impacted if proposed habitat areas absorb a considerable amount of water.
- Impact on local boating could be very significant.
- Ensure continued recreational opportunities, specifically a viable sport fishery.
- Consider the important recreational and economic values of sport fishing while addressing LCR MSCP objectives.
- Efforts to enhance and conserve native fishes and recreational fishing opportunities are not mutually exclusive actions.
- Analyze the impacts of the alternatives, including implementation of conservation actions, on hunting, fishing, and boating opportunities, access, use days, and safety.
- The EIS/EIR should comply with Presidential Executive Order 12962 of June 7, 1995, titled Recreational Fisheries.
- The EIS/EIR should discuss the impacts of the alternatives analyzed on functionality and public use of areas and features developed as mitigation for changes in habitat value or reduction in public use resulting from past actions under previously completed environmental compliance.
- Sport fishing programs have considerable recreational and economic importance; consider short- and long-term negative impacts and mitigate appropriately.
- How will growing the population (including weekend and holiday users) along the lower Colorado River impact the LCR MSCP or be impacted by the program? How do you propose to control their activities that affect the LCR MSCP?
- Do not eliminate two-cycle gasoline marine engines from the river.
- What will be the impacts to recreational vehicles, boats, etc.?
- Don't restrict use of or access to the river.

Hydrology

- The baseline evaluation should include a water budget for the lower Colorado River, including the delta.
- Would like the LCR MSCP to consider water flows, including water provided as a requirement through the 1944 Water Treaty, be delivered through the Laguna and Yuma divisions of the lower Colorado River from Imperial Dam to Morelos Diversion Dam (currently, these flows bypass these reaches of the river).

Socioeconomics

- In light of potential recreational impacts, what impacts would there be to Laughlin (and its casinos) as a destination/launch point?
- The EIS/EIR should analyze the effects of the free market, deregulation of electrical power, and Reclamation competing with free market for power generation.
- Consider Southern California's growing Hispanic population.
- Consider damage done to farming areas by mismanaging water or causing flood damage to the lower Colorado River area.
- How will private property owners along the river be affected by the LCR MSCP?
- What will be the economic impacts to those living along the river of implementing the LCR MSCP?

Water Quality

- Consider agricultural runoff impacts on water quality.
- No hazardous material should be allowed to be used in the lower Colorado River.

Navigability

- Development of habitat, along with daily filling and emptying, in the South Bullhead to Needles reach could impact navigability of the river.

C.1.3.5 Other

- Recommend that the dual program purposes (work toward recovery of listed and potentially listed species while accommodating current water and power operation and optimizing opportunities for future water and power development) be evaluated in relation to one another rather than one by one.
- It should be acknowledged that the objective to move listed species toward recovery may conflict with some of the present water and power operations.
- Discussions should include pre-water supply, hydroelectric generation, and past impacts.
- The LCR MSCP planning process would benefit from the involvement of more non-governmental conservation organizations.
- Full disclosure and consideration of all inputs must characterize the EIS/EIR process.
- The United States Section of the International Boundary and Water Commission (USIBWC) is preparing an EIS for proposed activities in the Limitrophe division between the Northerly International Boundary (NIB) and the SIB. The USIBWC will coordinate actions/alternatives with the LCR MSCP.

- Reclamation should maintain contact with the Upper Colorado State's Governors regarding studies that might affect surplus activities of upper users.
- The Bard Water District, with its second water right on the river, should be more closely involved with this planning process.
- The Natural Resources Conservation Service (NRCS) should be involved in the development of the LCR MSCP.
- How can the public's comments concerning alternatives be meaningfully incorporated into the program if the Work Group for the LCR MSCP will be approving program alternatives in a meeting the same day public comments are due?
- The LCR MSCP planning process is pseudo-public in nature.
- Reclamation should have prepared an EIS on its operations and maintenance activities. The present NEPA analysis will need to be more comprehensive in order to compensate for the lack of pre-existing NEPA analysis and baseline information.
- Reclamation has more discretion than it asserted in its 1996 Biological Assessment.
- The Law of the River may not be a stable backdrop for the development of the LCR MSCP based on discussions involving the Adaptive Management Program concerning power operations at Glen Canyon Dam.
- Actions to consider in the evaluation of cumulative impacts should include the Salton Sea project, USIBWC Lower Colorado River Boundary and Capacity Preservation Project, California's 4.4 Water Allocation Plan, and current and reasonably foreseeable actions by those who use or are located along the lower Colorado River.
- Public notices should be in "plain English."

C.1.4 Summary of Verbal Comments

C.1.4.1 Issues for Analysis in the EIS/EIR/BA

Recreation

- River trails and other access facilities for the river should be developed.
- The LCR MSCP should not impact flood plain access and use by off-road vehicles (ORV).
- Use of Personal Water Craft (PWC) should not be restricted.
- This endangered species program should not significantly change recreational use on and along the lower Colorado River.
- Rumors of National Park Service limiting PWC use at Willow Beach and agencies restricting all ORV access to the flood plain.
- Extensive restoration of cottonwood-willow forests will impact recreation since it is assumed endangered species habitat will be off limits to recreation.

Water Quality

- Protect water quality; effects of boat fuels (e.g., methyl tertiary-butyl ether [MTBE]) on the environment.

Socioeconomics

- Protect private property from condemnation for habitat purposes; private land on the river is limited.

Navigability

- Navigation will be impacted by spreading river waters across the flood plain for habitat restoration purposes.

Cultural Resources/Native Americans

- Native American tribes have significant cultural ties to the river and an interest to preserve and restore natural resources while maintaining economic development opportunities.
- Government-to-government consultations with Native American tribes on the river should be timely.

Water Rights/Water Allocation

- Cibola Community concerned that sale of district water rights will result in degraded lands with diminished wildlife diversity and value.
- River water is over appropriated and too much is diverted, resulting in detriment to the river ecosystem.

Public Health

- Creation of more marsh habitat will result in increased mosquitoes.
- Operation of Davis Dam associated with small insect problem (possibly black flies).

Other

- Cibola Community suggested that the Blythe public meeting should have been held in their area, particularly at the Cibola National Wildlife Refuge (NWR).

C.2 July–August 2000 Scoping Summary Report

The purpose of this report is to summarize the issues and concerns raised during the supplemental public scoping period, which ran from July 12 through August 11, 2000. The combined EIS/EIR and BA for the LCR MSCP will, in turn, address key issues raised during scoping. This report is intended to provide the public with a general summary of the written and verbal comments and issues raised during public scoping in 2000. This report is one of the action items contained in the LCR MSCP's Public Involvement Plan, which can be accessed at www.lc.usbr.gov.

C.2.1 Program Description and Purpose

The LCR MSCP is a partnership of State, Federal, Tribal, and other public and private stakeholders with an interest in managing the water and related resources of the LCR Basin. The purposes of the LCR MSCP are:

1. Conserve habitat and work toward the recovery of threatened and endangered species as well as reduce the likelihood of additional species listings under the ESA and CESA,
2. Accommodate current water diversions and power production and optimize opportunities for future water and power development, to the extent consistent with law, and
3. Provide the basis for take authorization pursuant to ESA and CESA.

C.2.1.1 Location

The program area covers the mainstream of the lower Colorado River from below Glen Canyon Dam to the SIB with Mexico. The program area includes the historical floodplain and reservoirs to full-pool elevations. For LCR MSCP EIS/EIR and BA planning purposes, potential conservation measures will focus on the lower Colorado River from Lake Mead to the international boundary, while the LCR MSCP partnership is also open to considering cooperative conservation undertakings developed by the Grand Canyon management effort.

C.2.1.2 NEPA, ESA, CESA, and CEQA Compliance

Several environmental documents will be prepared to fulfill requirements of NEPA, ESA, CESA, and CEQA for the LCR MSCP. In addition to the EIS/EIR and BA, the state partners will develop a Habitat Conservation Plan (HCP) and California will develop a Natural Community Conservation Plan (NCCP). Reclamation and USFWS will serve as joint Federal lead agencies under NEPA for the EIS, and MWD will serve as the CEQA lead agency for the EIR portion of the combined document.

C.2.2 Public Scoping Process

The scoping process is an early and integral part of planning, environmental review, and documentation for the LCR MSCP. The process encourages the public and government agencies to help identify issues and topics that an EIS/EIR should address.

Requests for comments and notices of public scoping meetings were posted through publication of a Supplemental NOI in the FR on July 12, 2000, and filing a Revised NOP with the State of California Clearinghouse July 25, 2000.

Four supplemental scoping meetings were held in Arizona, California, and Nevada on July 31, August 1, 2, and 3, 2000, to inform the public about the LCR MSCP process and to solicit input. A total of 49 individuals attended these meetings. A total of 25 comment letters were received during the formal comment period, which, upon request, was extended an additional 30 days until September 15, 2000.

Following is a summary of the written comments received during the NEPA supplemental public scoping period (July 12 through September 15, 2000) and a summary of the verbal comments offered at the four public scoping meetings.

C.2.3 Summary of Written Comments

C.2.3.1 General Comments: Water, Environment, and Alternatives

- Should eliminate use of 40,000 cubic feet per second (cfs) release due to legal/physical constraints and possible property damage outweigh the insignificant amount of habitat enhanced.
- Recent studies do not support 80,000 acres for conservation; use most up-to-date, LCR MSCP-sponsored studies.
- Notice doesn't mention lead agencies intent to undertake ESA consultation activities in Mexico. Extending ESA/NEPA impact analysis into Mexico is improper and should not be part of the LCR MSCP EIS/EIR documents. We have No Obligation to consult in foreign country.
- Alternatives don't quantify off-stream refugia—needed to evaluate feasibility.
- In stream stocking measures lack specificity as to how it will improve water quality.
- Will reintroducing extirpated species create additional restrictions?
- Would support if species designated “nonessential, experimental populations.”
- Overall alternatives form a good framework to develop actual alternatives.
- Concerned that water rights should not be compromised.
- Concerned that groundwater under adjacent property was not raised.

- Concerned about proposed high flow spikes affecting facilities and groundwater under lands along river.
- Concerned water levels in drains and spill channels rising causing operational problems and raising groundwater under farmland.
- Concerned affect of land conversions to habitat areas on ability to collect fees for that land. How will funds be reimbursed for loss of agricultural land?
- Concerned affect of the various wildlife and insects in habitat areas encroaching into farm fields to feed etc. For example, landowner fighting pest birds in planted field while habitat is raising them; insects flourishing in protected habitat swarming into fields and town causing damage and increased control costs—mosquitoes, white fly, etc.
- Concerned over fires in habitat areas getting out of control and damaging adjacent property.
- Concerned over ability to perform maintenance on facilities crossing or adjacent to habitat areas.
- Reiterate comments from previous scoping period in 1999: geographic scope of the MSCP should include the Colorado River delta and upper Gulf of California; section 7 compliance should be highest priority of LCR MSCP; accomplish habitat restoration via dedicated flows.
- Large core/Minimal management would still need substantial management.
- Should target specific river reaches for restoration and reintroduction of natives.
- Alternative 1—Improve habitat for fish in selected reaches by, 1) providing warmer water, 2) mimicking releases to match more historic hydrograph and dedicate water for this purpose, and 3) reintroduce sediment.
- Need permanent control of non-natives.
- Propose 5th Alternative—Alternative 1 plus habitat improvement for fish and augment native fish populations in tributaries.
- Concerned Alternative 2 about edge effect and not putting fish in mainstem. Concerned Alternative 3 will abandon efforts on mainstem.
- Large cores would still require intensive management.
- Need several locations for fish habitat—not just one hatchery.
- Need warmer water for fish.
- Designate key segments of river off-limits to recreational users.
- Remove one or more dams below Hoover.
- 3,000 acres too low, 80,000 more appropriate.

1 **C.2.3.2 County and local organizations**

- 2 ■ Concerned with: 1) impact of recreation use on habitat areas—need educational
- 3 campaign; 2) impact of insect-carried disease on low-income areas—Environmental
- 4 Justice (EJ) issues; 3) impact of creating habitat near Mexico border and facilitating
- 5 illegal crossings; 4) impact of conversion of agricultural lands on economic
- 6 development; 5) impact of additional river water effecting a rise in the groundwater
- 7 table.
- 8 ■ Prefer Alternative 1
- 9 ■ Should be able to mix and match alternatives.
- 10 ■ If impacts to private property (such as flooding) should address purchase.
- 11 ■ Should look at tributaries (such as Bill Williams).
- 12 ■ Favor combination of Alternatives 1 and 2. Feel #3 and #4 would result in other
- 13 species suffering.
- 14 ■ Concerned if water levels diminish will not be able to provide adequate law
- 15 enforcement to recreational areas in their jurisdiction. Also, radio communication
- 16 repeaters would have to be moved.
- 17 ■ Concerned over lake levels—too low or too high—impacts to recreation-based
- 18 businesses.
- 19 ■ Concern that CEQA and CESA guidelines are followed. And all California
- 20 Department of Fish and Game policies be addressed.

21 **C.2.3.3 Tribal**

- 22 ■ Propose hybrid alternative—mix of large and small cores plus native fish
- 23 reintroduction to mainstem.
- 24 ■ Need native fish stocking program.
- 25 ■ Need exotic fish and plant species management program.
- 26 ■ How are the MSCP and the Interim Surplus Criteria (ISC) connected—some habitat
- 27 components for MSCP may fail if ISC is developed. Concerned how they will work
- 28 together. Will MSCP plan work within limitation of ISC to satisfy water requirement
- 29 for successful MSCP ESA mitigation in Limitrophe...Draft EIS ISC puts NIB as
- 30 southern boundary.

31 **C.2.3.4 Additional Public Comments**

- 32 ■ Look at restricting motorized boating (Havasu NWR).
- 33 ■ More outreach to local conservation organizations and local governments.
- 34 ■ Concerned over water level fluctuation on local backwaters and impacts to
- 35 waterfowl.

- Need more water in the Yuma Division, but look at impacts to high groundwater and power.
- Best element of each alternative should be combined for preferred.
- Could construct a surge reservoir (8,000–10,000 acre-feet) at Drop One of All American Canal (AAC).
- 3,000 acres low—80,000 more appropriate.
- Public health impacts due to backwaters. Low-income families affected by disease from mosquitoes and high water table affecting single-point wells and septic tanks.
- Concept of temporary weirs in Colorado River above Gila to effect ponded water.
- Growth in Yuma will require more water-based recreational activities.
- Need to coordinate with local planning entities.
- Concern over water quality.
- Concern over limiting public access; EJ vs. public needs.
- Concern over impacts of 40,000 cfs release.
- Look at conservation opportunities on Bill Williams River above and below Alamo.
- Impact of future development on MSCP options. MSCP competing for land.
- Should consider open space and riverbank corridors along Bullhead City.
- Large habitat blocks will need management.
- One hatchery is not enough.
- Look at warming water and higher releases.
- Concerned acquiring active agricultural land will equal loss of jobs.
- Where is water allocation and funding coming from?
- Explore effects of dams on ecosystem, then do detailed cost/benefit study.
- Particularly concerned with loss of water to evaporation from Lake Powell.

C.2.4 Summary of Verbal Comments—July 31 through August 3, 2000

C.2.4.1 Summary of Public Comments Offered at the July 31, 2000, Public Meeting, Yuma, AZ

- Need more water in the Yuma Division—use the river to make deliveries to Mexico, but need to consider effect to agriculture (high groundwater), power production, etc.
- How do water users get credit for environmental benefit of water?
- With reference to the current river biological opinion, have the 300 acres for native fish.

- Ponds been identified and what effect will they have on sport fishing?
- Of the four framework alternatives presented, the best elements of each should be considered as an alternative.
- River water management might be enhanced (some peaking) by constructing a surge reservoir (8,000–10,000 acre-feet) at drop one of the AAC.
- Of the conservation range of 3,000 to 80,000 acres, the former is inadequate while the latter or larger acreage is more appropriate.
- Indirect effects of water transfers, e.g., deliveries to San Diego need to be analyzed.
- Additional alternative is more efficient use of water, conservation practices in use areas.
- How much take of listed species and why?
- More water in Yuma Division will result in higher groundwater, thus impacting agriculture lands. It could impact hydropower production at Siphon Drop and possibly Imperial Irrigation District (IID).
- ESA and ecological management is letting our resources deteriorate, e.g., burning of forests; are endangered species laws being used for political purposes and are they cost effective? We stock game fish and then pay to protect endangered species.
- Public health needs to be considered in the development and management of backwaters and marshes; vector control is an expense and concern for local government.
- Hydropower is clean energy. Restricting its use and restraining coal generating plants can contribute to current and future power deficiencies in the southwest.
- Isolated sites (re new habitats) on the border may be used by smugglers and drug traffickers, resulting in an increased need for law enforcement.
- Will other actions such as ISC inhibit the ability of the MSCP to develop habitat in the Limitrophe Division?
- Follow up on concept of temporary detritus weirs in the Colorado River above the Gila confluence to effect ponded water, where such weirs would be removed easily by flood flows.
- The three lakes on Yuma Island could serve as the proposed fish refugia, including Bard and Haughtelin Lakes.
- With the anticipated growth in the Yuma and San Luis areas—the latter growing to 40 thousand people by 2010—additional water-related recreation will be needed in the area, focusing on the Colorado River.
- Environmental water—how do you get it? Can it be obtained within existing entitlements?
- Is the status of endangered Yuma clapper rail such that it can be down listing or delisted?
- Additional clarification of source of the 58,000 acres in alternative three is needed.

- Will water continue to flow in the Main Outlet Drain Extension (MODE) to the Cienega de Santa Clara?
- How will the boundary rectification project, proposed by the USIBWC, impact the MSCP?
- The MSCP needs to coordinate with local planning entities.

C.2.4.2 Summary of Public Comments Offered at the August 1, 2000, Public Meeting, Blythe, CA

- Recommended that Glen Canyon Dam not be removed.
- Interested if additional water quality monitoring would result from MSCP on the lower Colorado River.
- Are activities under MSCP driven by an existing budget?
- Communication with agricultural communities associated with potential conversion of cultivated lands to perennial habitat should be done early in the planning process and include feasibility, socioeconomic impacts etc. studies.
- Issues exist regarding releases from the lower Colorado River system reservoirs with “spikes” for habitat establishment.
- Who is going to pay for MSCP?
- Concern for fire management needs to protect and sustain restored habitats.
- Concerns about limiting public access to habitat sites and implementation of appropriate management that takes into account public use.
- Are public appeals available if documents do not fully address public concerns?
- Will there be potential for additional water quality concerns due to development and implementation of the MSCP?
- Concern expressed as to protection and management of endangered species and human needs and uses.

C.2.4.3 Summary of Public Comments Offered at the August 2, 2000, Public Meeting at Laughlin, NV

- Under alternative 2, why no stocking of refugia-raised fish in the mainstem river? This would appear to be a logical step for all alternatives.
- Local governments need to be involved in MSCP development. Why was Mohave County not asked to participate?
- Status of endangered Yuma clapper rail might merit a reclassification.

- Conservation areas—some which may be larger in size—would be in conflict with recreation. What are the impacts to recreation? How would the conservation areas be managed if restrictions were placed on people and their use?
- Consider an alternative that returns the river to what it was before development, since species are endangered due to development.
- What are the socioeconomic damages associated with periodic flood control and space-building releases of 40,000 cubic feet per second? Is this really a serious option when the accompanying property damage is considered?
- Is consumptive use of water an issue? Being considered in plan development?
- Potential conservation opportunities are shown on the Virgin River but none for the Bill Williams River, both above and below Alamo Dam.
- How will the MSCP be funded?
- Land acquisition will be very difficult and should be carefully considered in plan development.
- How will the Mohave Valley be affected by the MSCP? Is ownership and continued development (new homes) being considered in the land acquisition phases of the anticipated MSCP?
- Should consider open space and riverbank corridors along Bullhead City in MSCP planning for alternatives.
- How will the MSCP engage Native Americans to get their participation in the program?
- How will the MSCP impact current and future uses on lands included in the MSCP?
- Any MSCP on the river should not stop at 50 years but look at being permanent.
- The MSCP will be competing for land; development is taking place along the river and will continue in the future.
- Laughlin is concerned about developing MSCP conservation habitat on Colorado River Commission (CRC) land and its affect on future revenue and expansion.
- How will the plan affect Lake Mead elevations and associated recreation use and businesses?
- What is or will be done to address the invasion of non-native vegetation? Will such control be part of the MSCP?
- The MSCP purpose and need statement needs to be provided for public review and understanding.
- Need to establish a working linkage with local governments and groups, e.g., Southern Regional Planning Coalition.
- Involve local governments; present the MSCP at local governmental meetings.

C.2.4.4 Summary of Public Comments Provided at August 3, 2000, Scoping Meeting at Henderson, NV

- Alternative One, even with large habitat blocks, will need considerable management.
- The fish approaches are to minimalist. One hatchery is not enough when considering disease and other potential disasters. Multiple hatcheries are needed.
- The plan should not beat least 100 years in duration, as it will take considerable time to remove exotics and establish native habitat.
- A proposal (alternative) that mimics the natural river system is missing.
- Multiple use does not work with species management.
- Need to acquire land now, as it is being sold and developed.
- Dams have altered the river, effecting cold water releases. Look at facilities to release warmer water and higher releases.
- Alternative One makes the most sense but it needs active management.
- The list of included species should be realistic and not just big. E.g., California brown pelican is on list but the Colorado River is not in its range.
- Reclaimed water is being used for golf courses and not for habitat/conservation.
- Irrigated, restored sites will be subject to salt build up; thus a management problem for consideration.
- River is over allocated, no water for other uses.
- Water conservation should be considered.
- How will cumulative and indirect impacts be addressed?

C.3 November 2003 Public Information Meetings Summary Report

The purpose of this report is to provide the public a general summary of the comments and issues raised during three LCR MSCP public information meetings held November 4, 5, and 6, 2003.

A public involvement program has been in place since the beginning of the development of the LCR MSCP. The initial NOI to prepare a joint EIS/EIR and hold public scoping meetings was published in the FR on May 18, 1999 (64 FR 95:27000–27002), and a supplemental NOI was published on July 12, 2000 (65 FR 134:43031–43034). The initial NOP with the State of California Clearinghouse was filed on May 26, 1999, and a Revised NOP with the State of California Clearinghouse was filed on July 25, 2000. Two multi-state sets of public information and scoping meetings were held in 1999 and 2000. A summary of comments provided during those scoping periods is provided on the

Internet at Reclamation's web site: www.usbr.gov/lc/region. The 2003 set of meetings were the third and final in the series of information and scoping meetings.

The November 2003 public information meetings were presented as a public service in the event any new issues had been identified since the first two series of public scoping meetings. A public information meeting was held in each of the three stakeholder states; Arizona, California, and Nevada on the following dates at the following locations:

- November 4, 2003, 6:30–8:30 p.m., Yuma, Arizona, Yuma Crossing State Historic Park, 201 North Fourth Avenue, Quechan Room;
- November 5, 2003, 6:30–8:30 p.m., Blythe, California, City Council Chambers, 235 North Broadway; and
- November 6, 2003, 6:30–8:30 p.m., Laughlin, Nevada, Regional Government Center, 101 Civic Way.

At each of the public information meetings listed above the stakeholders presented an overview of the proposed Conservation Plan, proposed alternatives to the Conservation Plan, and potentially significant environmental issues that have been identified to date. Individuals had an opportunity to make formal statements following each presentation. A court reporter recorded verbal comments at each of the three public meetings. Written comments could be submitted at these meetings or sent to Glen Gould, U.S. Bureau of Reclamation, P.O. Box 61470, LC-2450, Boulder City, Nevada, 89006-1470; or faxed to Glen Gould at (702) 293-8023; or emailed to mscpnoi@lc.usbr.gov. The deadline for submission of written comments was November 26, 2003. Both public and agency statements will be reviewed for the purposes of the EIS/EIR.

C.3.1 Program Description and Purpose

The LCR MSCP consists of a partnership of state, Federal, tribal, and other public and private stakeholders with an interest in managing the water and related resources of the LCR Basin. These partners have agreed to develop, implement, and fund the LCR MSCP, which will use an ecosystem-based approach for compliance with applicable endangered species and environmental laws and to implement conservation and protection measures for included species and habitats.

The proposed actions include two primary components: (1) issuance of a section 10(a)(1)(B) permit for the proposed Habitat Conservation Plan by the Service, and (2) implementation of a Conservation Plan that would (a) conserve habitat and work toward the recovery of threatened and endangered species, as well as reduce the likelihood of additional species listings under the ESA; (b) accommodate current water diversions and power production and optimize opportunities for future water and power development, to the extent consistent with the law; and (c) provide the basis for "take" authorization (legal compliance) pursuant to the ESA. The LCR MSCP would be in effect for a period of 50 years. The planning area for the LCR MSCP is the historic floodplain from Lake Mead to the SIB between the United States and Mexico (near San Luis, Arizona) and areas with elevations up to and including the full pool elevations of Lake Mead, Lake Mohave, and Lake Havasu.

Several environmental documents have been prepared to fulfill the requirements of NEPA, ESA, CEQA, and other applicable Federal and state environmental laws. In addition to the EIS/EIR, the Federal partners have developed a BA and the state partners an HCP. The EIS will be the basis for Reclamation's Record of Decision on implementing its portion of the LCR MSCP and the Service's Record of Decision on issuing a section 10(a)(1)(B) permit under the ESA for, and subsequent implementation of, a Conservation Plan.

C.3.2 Summary of Verbal Comments

Summary of public comments offered at the public meeting at Yuma, Arizona on November 4, 2003.

- Points of clarification on the conservation plan, the implementation of that plan, and environmental compliance were made in response to questions.
- Will the river level change between Imperial and Yuma?
- The Gila River is listed as one of the potential sites in Alternative 4, the off-site plan. The current planning in Wellton-Mohawk should be addressed in the EIS (i.e., attempting to have lands under Federal management transferred to Wellton-Mohawk, proposed Corp of Engineers Gila River channel transfers).
- Mitigation achievement criteria and accounting needs to be expanded and clarified.

Summary of public comments offered at the public meeting at Blythe, California on November 5, 2003.

- Points of clarification on the purpose of the LCR MSCP, the conservation plan, and the implementation of that plan were made in response to questions.
- The program needs to be based on real science, not "voodoo" science.
- The most destructive impacts to desert tortoise are have been identified as caused by ravens, while less than three percent of the impacts are caused by humans. The predator species issue should be looked at, as opposed to any human-caused impacts to the desert tortoise.
- Concerns that water recreation will be restricted.
- Concerns that desert recreation will be restricted.
- What will the drop in river elevation be from Parker and south of Parker?
- Will private property owners have the option to choose not to participate in the program?
- Will the program limit access to land-locked private property parcels?
- Is \$25 million enough to maintain habitat for 50 years?

Summary of public comments offered at the public meeting at Laughlin, Nevada on November 6, 2003.

- Points of clarification on the purpose of the LCR MSCP, the conservation plan, the implementation of that plan, and the conservation opportunity areas, were made in response to questions.
- Will the conservation opportunity areas conflict with plans for the new bridge to Bullhead City?
- Concerns about recompensation for monies directed to Fort Mohave Development Funds for Laughlin and Clark County as a result of conservation measures.
- Concerns about losing private lands available for potential future development around Laughlin.
- Concerns about using biosolids on conservation areas.

Summary of written comments received between November 2003 and February 2004.

- Irrigation & Electrical Districts Association of Arizona, Phoenix, Arizona
 - Provide a detailed explanation of how water will be provided for the program and how that affects Arizona's water rights.
 - Describe the funding mechanism and the economic and social impacts of that mechanism.
 - Examine the best path to take if the USFWS is not in a position to offer "No Surprises" or "Safe Harbor" provisions in a section 10(a)(1)(B) permit.
- Palo Verde College, Blythe, California
 - Concerns about rivers levels dropping as a result of the proposed water transfers and the impact on tourism and navigability.
 - Apprehension about the potential impacts to low economic status residents in the Blythe area resulting from water transfers and fallowing of agricultural lands.
 - Suggestions on how to conduct the economic analysis in the EIS/EIR.
- City of Blythe, Blythe, California
 - Concern that the \$25 million dedicated to maintenance of existing habitat is insufficient.
 - Suggests integrating bikeways into the Conservation Plan.
- City of Needles, Needles, California
 - Concern about the potential impacts of proposed conservation areas to redevelopment and economic development ideas within the city limits of Needles.